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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/615,017      | 07/09/2003  | Eiji Higuchi         | 115876              | 8762             |

25944 7590 09/20/2004

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| EXAMINER |
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BUI, HUNG S

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| ART UNIT | PAPER NUMBER |
|----------|--------------|

2841

DATE MAILED: 09/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |                                       |  |
|------------------------------|--------------------------------------|---------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/615,017 | <b>Applicant(s)</b><br>HIGUCHI ET AL. |  |
|                              | <b>Examiner</b><br>Hung S Bui        | <b>Art Unit</b><br>2841               |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 December 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 7-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>07/09/2003</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Election/Restrictions***

1. Applicant's election with traverse of group I in the reply filed on 12-11-03 is acknowledged. The traversal is on the ground(s) that the search and examination of the entire application could be made without serious burden. This is not found persuasive because the additional housing structure and specific bus bar structure necessitates additional search and considerations.

The requirement is still deemed proper and is therefore made FINAL.

***Specification***

2. The disclosure is objected to because of the following informalities: in page 1, line 18, "as shown in Fig. 8" should correct by – as shown in Fig. 9 --. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 7, there is no antecedent basis for "the upper and lower cover."

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hill [US 5,645,448] in view of Schaefer et al. [US 6,276,960].

Regarding claim 1, Hill discloses a fuse box (10) comprising:

- a lower case (40);
- an upper case (42);
- a large capacity fuse (80) having a input and output terminals (figure 2), the fuse also having long and short sides housed within the fuse box with short sides being approximately perpendicular to the upper and lower cases; and
- a input-side and output-side bus bars (74, 75) abutting and connected to the input and output terminals.

Hill disclose everything claimed except the use of an intermediate case between the upper and lower cases.

Schaefer et al. disclose a fuse box (figure 1) having an upper case portion (26), a lower case portion (30) and an intermediate case portion (78).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use an intermediate case portion with the box of Hill, as

suggested by Schaefer et al., for the purpose of facilitating arrangement and mounting of the terminals and fuse within the box.

Regarding claim 2, Hill discloses the fuse box being mountable on an upper surface of a battery (70) having a battery post (72), the fuse box further comprising a battery terminal (56) fittable on the battery post and connected to the input terminal through the input-side bus bar.

Regarding claim 3, Hill discloses the input terminal being rigidly connected to the battery terminal and the battery post of the battery so as to fix the fuse box to the battery and form an electrical connection (column 3, lines 15-30).

Regarding claim 4, Hill discloses the input and output terminals projecting from a side surface of the fuse in substantially opposite directions substantially parallel with the upper case (figure 1).

Regarding claim 5, Hill discloses the upper and lower case locking together (column 3, lines 7-14) with the upper and lower case portions forming halves being hinged together (figure 1) and the upper half having a latch (30) engaging the lower half.

Regarding claim 6, Hill discloses the fuse box being formed of plastic material (column 2, lines 64-67).

### ***Conclusion***


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung S Bui whose telephone number is (571) 272-2102. The examiner can normally be reached on Monday-Friday 8:30AM-6:00PM.

Art Unit: 2841

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamand Cuneo can be reached on (571) 272-1957. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

9/13/04  
HB



**KAMAND CUNEO**  
**SUPERVISORY PATENT EXAMINER**  
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